

REMARKS

In the Office Action, the Examiner indicated that claims 1 through 22 are pending in the application and the Examiner rejected all claims.

The Objection to the Specification

On page 2 of the Office Action, the Examiner objected to the disclosure because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant has amended the specification to remove the hyperlink, as required by the Examiner.

Claim Rejections, 35 U.S.C. §103

On page 2 of the Office Action, the Examiner rejected claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,609,658 to Sehr and U.S. Patent No. 6,212,504 to Hayosh.

The Present Invention

In accordance with a preferred embodiment of the present invention, a two-step process is used to purchase and redeem an EPI, for example, a ticket. In the first step of the process, referred to herein as the “purchasing step,” a self-signed certificate is generated by a selling server and is used to facilitate the encoding of a key printed as a readable indicia (e.g., a bar code) on a ticket prior to its printing. The self-signed certificate, along with transaction-related data pertaining to the purchase is also transferred to a smart card of a purchaser; the

combined information transferred is collectively known as verification-related information.

Credit card information or other purchasing information of the purchaser is transmitted to the selling server and verified (but not stored) as part of this first step.

In the second step of the process, referred to herein as the “validation step,” when the purchaser completes the transaction, for example, attends the event for which the ticket is issued, the ticket is presented by the purchaser for validation. The verification-related digital certificate information from the smart card must be read to validate the encrypted information on the printed ticket before entry into the event, so that only the person holding the smart card used at the time of purchase can use the printed ticket for admission to the event. To assure that the ticket can only be validated once, as part of the validation step the verification-related digital certificate information is removed from the smart card or otherwise revoked. Once validated, the purchase is considered complete.

The verification-related digital certificate information that is transferred from the seller to the purchaser contains no personal or financial information regarding the purchaser, that is, it is strictly related to the actual purchase and does not include personal financial information regarding the purchaser.

U.S. Patent No. 6,609,658 to Sehr

U.S. Patent No. 6,609,658 to Sehr (“Sehr”) teaches a travel system and method whereby a single card may be carried by a traveler and contain thereon a “traveler’s permit” for transportation and other travel services, as well as a monetary value for electronic payment

means. Biometric identification of cardholders, as well as cryptographic certification of card data and travel-related information, can be optionally encoded onto the card and can be verified at various points of service locations upon presentation of the card for utilization. Among other things stored on the card are financial information regarding the holder and electronic funds. See column 10, lines 40-60. Further, personal demographic information regarding the passenger is also stored on the card, such as name, address, birth date, telephone number, social security number, check guarantee number, driver's license number, etc.

U.S. Patent No. 6,212,504 to Hayosh

U.S. Patent No. 6,212,504 to Hayosh ("Hayosh") teaches a method and system by which valuable documents such as checks, deeds, driver's licenses, and other types of valuable documents can be imprinted with encoded symbols by a printer so that they are able to be read by a document reader to automatically authenticate and verify the originator of the document. The Examiner relies upon Hayosh for an asserted teaching that it is known in the art that one form of electronically readable indicia is a barcode for valuable documents.

The Examiner has not Established a *prima facie* Case of Obviousness

As set forth in the MPEP:

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skilled in the art, to modify the reference or to combine reference teachings.

MPEP 2143

The Examiner has not met his burden under 35 U.S.C. § 103. The very purpose of the present invention is to preclude the storage of and access to confidential personal information regarding a purchaser, and more particularly, financial information regarding the purchaser and transactions to which they are a party. Sehr not only does not teach or suggest such functionality and capability, Sehr actually teaches away from this feature. As noted above, one of the primary benefits suggested by Sehr is the ability to carry detailed financial information, verification data, social security numbers, and the like on a single card so that a traveler may travel using multiple airlines, multiple points of service (e.g., banks, travel agents, etc.) and have available if needed, “traveler’s permits” for proof of identity while traveling. This is 180° away from the teachings of the claimed invention.

Both independent claims of the present invention (claims 1 and 12) have been amended to specifically recite that the verification related digital certificate information transferred from the seller to the purchaser, and subsequently presented by the purchaser to verify the purchase, contain no access to purchaser-related financial information. It is submitted that independent claims 1 and 12, and all claims depending therefrom, patentably define over Sehr. Nothing in Sehr teaches or suggests these elements, and the Examiner has pointed to no such teaching or suggestion.

The addition of Hayosh does not provide the teachings or suggestions missing from Sehr. Hayosh is relied upon by the Examiner merely for its teaching of the use of barcode data for verification. Applicant does not contest that such verification methods have been

around for a long time, and acknowledges so in the present application. In short, the addition of Hayosh does not render the present claimed invention obvious.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

Enclosed herewith, in triplicate, is a Petition for extension of time to respond to the Examiner's Action. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 19-5425.

Respectfully submitted

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Date



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